IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER No 248 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE H.H.MEHTA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

AVIAT CHEMICALS PVT. LTD.

Versus

TABLET (INDIA) LIMITED

Appearance:

1. Appeal from Order No. 248 of 2000

MR MIHIR THAKORE for Appellants No. 1-2

MR PM THAKKAR for MR YJ TRIVEDI for Respondent

CORAM : MR.JUSTICE H.H.MEHTA

Date of decision: 17/01/2002

ORAL JUDGEMENT

1. Heard Mr.Mihir Thakore, learned senior advocate for the appellants and Mr.P.M.Thakkar, learned senior advocate for and on behalf of Mr.Y.J.Trivedi, learned

advocate for the respondent.

2. Learned senior advocates for both the parties jointly submit that at present, this appeal may be disposed of by giving suitable directions to the trial Court without assigning reasons. I have gone through the impugned order challenging in this appeal. In view of the facts and circumstances of the case, this appeal is ordered to be disposed of by giving following directions to the trial Court.

i. The learned Judge of the trial Court is directed to decide and dispose of Trade Mark Civil Suit No.15 of 1999, which is pending on the file of the Assistant Judge, District Court, Vadodara, as expeditiously as possible preferably, within nine months.

ii. Both the parties are directed to extend fullest co-operation to the learned Judge of the trial Court so as to enable him to dispose of the suit within a given time.

3. In view of the directions given hereinabove, this appeal stands disposed of. No order as to costs. It is made clear that the appellants are at liberty to move this Court for revival of this appeal, in case of need.

(H.H.Mehta,J.)

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